

110TH CONGRESS
2D SESSION

S. 3508

To authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2008

Mr. KOHL introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fast Track to College
5 Act of 2008”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to increase high school
8 graduation rates and the percentage of students who com-
9 plete a recognized postsecondary credential by the age of
10 26, including among low-income students and students

1 from other populations underrepresented in higher edu-
2 cation.

3 **SEC. 3. DEFINITIONS.**

4 For purposes of this Act:

5 (1) DUAL ENROLLMENT PROGRAM.—The term
6 “dual enrollment program” means an academic pro-
7 gram through which a high school student is able si-
8 multaneously to earn credit toward a high school di-
9 ploma and a postsecondary degree or certificate.

10 (2) EARLY COLLEGE HIGH SCHOOL.—The term
11 “early college high school” means a high school that
12 provides a course of study that enables a student to
13 earn a high school diploma and either an associate’s
14 degree or one to two years of college credit toward
15 a postsecondary degree or credential.

16 (3) EDUCATIONAL SERVICE AGENCY.—The
17 term “educational service agency” means an edu-
18 cational service agency as defined by section 9101 of
19 the Elementary and Secondary Education Act of
20 1965 (20 U.S.C. 7801).

21 (4) ELIGIBLE ENTITY.—The term “eligible enti-
22 ty” means a local educational agency, which may be
23 an educational service agency, in a collaborative
24 partnership with an institution of higher education.
25 Such partnership also may include other entities,

1 such as a nonprofit organization with experience in
2 youth development.

3 (5) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” means an in-
5 stitution of higher education as defined by section
6 102 of the Higher Education Act of 1965 (20
7 U.S.C. 1002).

8 (6) LOCAL EDUCATIONAL AGENCY.—The term
9 “local educational agency” means a local educational
10 agency as defined by section 9101 of the Elementary
11 and Secondary Education Act of 1965 (20 U.S.C.
12 7801).

13 (7) SECRETARY.—The term “Secretary” means
14 the Secretary of Education.

15 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) EARLY COLLEGE HIGH SCHOOLS.—To support
17 early college high schools under this Act, there are author-
18 ized to be appropriated \$50,000,000 for fiscal year 2009
19 and such sums as may be necessary for each of fiscal years
20 2010 through 2014.

21 (b) OTHER DUAL ENROLLMENT PROGRAMS.—To
22 support other dual enrollment programs under this Act,
23 there are authorized to be appropriated \$50,000,000 for
24 fiscal year 2009 and such sums as may be necessary for
25 each of fiscal years 2010 through 2014.

1 (c) FUNDS RESERVED.—The Secretary shall reserve
 2 3 percent of funds appropriated pursuant to subsection
 3 (b) for grants to States under section 9.

4 **SEC. 5. AUTHORIZED PROGRAM.**

5 (a) IN GENERAL.—The Secretary is authorized to
 6 award six-year grants to eligible entities seeking to estab-
 7 lish a new or support an existing early college high school
 8 or other dual enrollment program.

9 (b) GRANT AMOUNT.—A grant under this Act shall
 10 not exceed \$2,000,000.

11 (c) MATCHING REQUIREMENT.—

12 (1) IN GENERAL.—An eligible entity shall con-
 13 tribute matching funds toward the costs of the early
 14 college high school or other dual enrollment program
 15 to be supported under this Act, of which not less
 16 than half shall be from non-Federal sources, which
 17 funds shall represent not less than the following:

18 (A) 20 percent of the grant amount re-
 19 ceived in each of the first and second years of
 20 the grant.

21 (B) 30 percent in each of the third and
 22 fourth years.

23 (C) 40 percent in the fifth year.

24 (D) 50 percent in the sixth year.

1 (2) DETERMINATION OF AMOUNT CONTRIB-
2 UTED.—The Secretary shall allow an eligible entity
3 to satisfy the requirement of this subsection through
4 in-kind contributions.

5 (d) SUPPLEMENT, NOT SUPPLANT.—An eligible enti-
6 ty shall use a grant received under this Act only to supple-
7 ment funds that would, in the absence of such grant, be
8 made available from non-Federal funds for support of the
9 activities described in the eligible entity’s application
10 under section 7, and not to supplant such funds.

11 (e) PRIORITY.—In awarding grants under this Act,
12 the Secretary shall give priority to applicants—

13 (1) that propose to establish or support an
14 early college high school or other dual enrollment
15 program that will serve a student population of
16 which 40 percent or more are students counted
17 under section 1113(a)(5) of the Elementary and
18 Secondary Education Act of 1965 (20 U.S.C.
19 6313(a)(5)); and

20 (2) from States that provide assistance to early
21 college high schools or other dual enrollment pro-
22 grams, such as assistance to defray the costs of
23 higher education, such as tuition, fees, and text-
24 books.

1 (f) GEOGRAPHIC DISTRIBUTION.—The Secretary
 2 shall, to the maximum extent practicable, ensure that
 3 grantees are from a representative cross-section of urban,
 4 suburban, and rural areas.

5 **SEC. 6. USES OF FUNDS.**

6 (a) MANDATORY ACTIVITIES.—An eligible entity
 7 shall use grant funds received under section 5 to support
 8 the activities described in its application, including for the
 9 following:

10 (1) PLANNING YEAR.—In the case of a new
 11 early college high school or dual enrollment program,
 12 during the first year of the grant—

13 (A) hiring a principal and staff, as appro-
 14 priate;

15 (B) designing the curriculum and sequence
 16 of courses in collaboration with at a minimum,
 17 teachers from the local educational agency and
 18 faculty from the partner institution of higher
 19 education;

20 (C) educating parents and the community
 21 about the school;

22 (D) recruiting students;

23 (E) liaison activities among partners in the
 24 eligible entity; and

1 (F) coordinating secondary and postsec-
 2 ondary support services, academic calendars,
 3 and transportation.

4 (2) IMPLEMENTATION PERIOD.—During the re-
 5 mainder of the grant period—

6 (A) academic and social support services,
 7 including counseling;

8 (B) student recruitment and community
 9 education and engagement;

10 (C) professional development, including
 11 joint professional development for secondary
 12 school and faculty from the institution of higher
 13 education; and

14 (D) school design and planning team ac-
 15 tivities, including curriculum development.

16 (b) ALLOWABLE ACTIVITIES.—An eligible entity may
 17 also use grant funds received under this Act to otherwise
 18 support the activities described in its application, includ-
 19 ing—

20 (1) purchasing textbooks and equipment that
 21 support academic programs;

22 (2) learning opportunities for students that
 23 complement classroom experiences, such as intern-
 24 ships, career-based capstone projects, and opportuni-
 25 ties provided under chapters 1 and 2 of subpart 2

1 of part A of title IV of the Higher Education Act
 2 of 1965 (20 U.S.C. 1070a–11 et seq., 1070a–21 et
 3 seq.);

4 (3) transportation;

5 (4) planning time for high school and college
 6 educators to collaborate; and

7 (5) data collection, sharing, reporting, and eval-
 8 uation.

9 **SEC. 7. APPLICATION.**

10 (a) IN GENERAL.—To receive a grant under section
 11 5, an eligible entity shall submit to the Secretary an appli-
 12 cation at such time, in such manner, and including such
 13 information as the Secretary determines to be appropriate.

14 (b) CONTENTS OF APPLICATION.—At a minimum,
 15 the application described in subsection (a) shall include
 16 a description of—

17 (1) the early college high school’s or other dual
 18 enrollment program’s budget;

19 (2) each partner in the eligible entity and its
 20 experience with early college high schools or other
 21 dual enrollment programs, key personnel from each
 22 partner and their responsibilities for the early col-
 23 lege high school or dual enrollment program, and
 24 how the eligible entity will work with secondary and
 25 postsecondary teachers, other public and private en-

1 tities, community-based organizations, businesses,
2 and labor organizations to ensure that students will
3 be prepared to succeed in postsecondary education
4 and employment, which may include the development
5 of an advisory board;

6 (3) how the eligible entity will target and re-
7 cruit at-risk youth, including those at risk of drop-
8 ping out of school, first generation college students,
9 and students from populations described in section
10 1111(b)(2)(C)(v)(II) of the Elementary and Sec-
11 ondary Education Act of 1965 (20 U.S.C.
12 6311(b)(2)(C)(v)(II));

13 (4) a system of student supports for students in
14 the early college high school or other dual enrollment
15 program, including small group activities, tutoring,
16 literacy and numeracy skill development in all aca-
17 demic disciplines, parental outreach, extended learn-
18 ing time, and college readiness activities, such as
19 early college academic seminars and counseling;

20 (5) in the case of an early college high school,
21 how a graduation and career plan will be developed,
22 consistent with State graduation requirements, for
23 each student and reviewed each semester;

24 (6) how parents or guardians of dually enrolled
25 students will be informed of the students' academic

1 performance and progress and, subject to paragraph
2 (5), involved in the development of the students' ca-
3 reer and graduation plan;

4 (7) coordination activities between the institu-
5 tion of higher education and the local educational
6 agency, including regarding academic calendars, pro-
7 vision of student services, curriculum development,
8 and professional development;

9 (8) how the eligible entity will ensure that
10 teachers in the early college high school or other
11 dual enrollment program receive appropriate profes-
12 sional development and other supports, including to
13 enable the teachers to help English-language learn-
14 ers, students with disabilities, and students from di-
15 verse cultural backgrounds to succeed;

16 (9) learning opportunities for students that
17 complement classroom experiences, such as intern-
18 ships, career-based capstone projects, and opportuni-
19 ties provided under chapters 1 and 2 of subpart 2
20 of part A of title IV of the Higher Education Act
21 of 1965 (20 U.S.C. 1070a–11 et seq., 1070a–21 et
22 seq.);

23 (10) a plan to ensure that postsecondary credits
24 earned will be transferable to, at a minimum, public
25 institutions of higher education within the State,

1 consistent with existing statewide articulation agree-
2 ment;

3 (11) student assessments and other measure-
4 ments of student achievement that will be used, in-
5 cluding benchmarks for student achievement;

6 (12) outreach programs to provide elementary
7 and secondary school students, especially those in
8 middle grades, and their parents, teachers, school
9 counselors, and principals information about and
10 academic preparation for the early college high
11 school or other dual enrollment program;

12 (13) how the eligible entity will help students
13 meet eligibility criteria for postsecondary courses;
14 and

15 (14) how the eligible entity will sustain the
16 early college high school or other dual enrollment
17 program after the grant expires.

18 (c) ASSURANCES.—An eligible entity's application
19 under subsection (a) shall include assurances that—

20 (1) in the case of an early college high school,
21 the majority of courses offered, including of postsec-
22 ondary courses, will be offered at facilities of the in-
23 stitution of higher education;

24 (2) students will not be required to pay tuition
25 or fees for postsecondary courses;

1 (3) postsecondary credits earned will be tran-
 2 scribed upon completion of the requisite coursework;
 3 and

4 (4) faculty teaching postsecondary courses meet
 5 the normal standards for faculty established by the
 6 institution of higher education.

7 (d) WAIVER.—The Secretary may waive the require-
 8 ment of subsection (c)(1) upon a showing that it is im-
 9 practical to apply due to geographic considerations.

10 **SEC. 8. PEER REVIEW.**

11 (a) PEER REVIEW OF APPLICATIONS.—The Sec-
 12 retary shall establish peer review panels to review applica-
 13 tions submitted pursuant to section 7 and to advise the
 14 Secretary regarding such applications.

15 (b) COMPOSITION OF PEER REVIEW PANELS.—The
 16 Secretary shall ensure that each peer review panel is not
 17 comprised wholly of full-time officers or employees of the
 18 Federal Government and includes, at a minimum—

19 (1) experts in the establishment and adminis-
 20 tration of early college high schools or other dual en-
 21 rollment programs from the high school and college
 22 perspective;

23 (2) faculty at institutions of higher education
 24 and secondary school teachers with expertise in dual
 25 enrollment; and

1 (3) experts in the education of at-risk students.

2 **SEC. 9. GRANTS TO STATES.**

3 (a) IN GENERAL.—The Secretary is authorized to
4 award six-year grants to State agencies responsible for
5 secondary or postsecondary education for efforts to sup-
6 port or establish statewide dual enrollment programs.

7 (b) APPLICATION.—To receive a grant under this sec-
8 tion, a State agency shall submit to the Secretary an appli-
9 cation at such time, in such manner, and including such
10 information as the Secretary determines to be appropriate.

11 (c) CONTENTS OF APPLICATION.—At a minimum,
12 the application described in subsection (b) shall include—

13 (1) how the State will create outreach programs
14 to ensure that middle and high school students and
15 their families are aware of dual enrollment programs
16 in the State;

17 (2) how the State will provide technical assist-
18 ance to local dual enrollment programs as appro-
19 priate;

20 (3) how the State will ensure the quality of
21 State and local dual enrollment programs; and

22 (4) such other information as the Secretary de-
23 termines to be appropriate.

24 (d) STATE ACTIVITIES.—A State receiving a grant
25 under this section shall use such funds for—

- 1 (1) planning and implementing a statewide
- 2 strategy for expanding access to dual enrollment
- 3 programs for students who are underrepresented in
- 4 higher education; and
- 5 (2) providing technical assistance to local dual
- 6 enrollment programs.

7 **SEC. 10. REPORTING AND OVERSIGHT.**

8 (a) REPORTING BY GRANTEES.—

- 9 (1) IN GENERAL.—The Secretary shall establish
- 10 uniform guidelines for all grantees under section 5,
- 11 and uniform guidelines for all grantees under section
- 12 9, concerning information such grantees annually
- 13 shall report to the Secretary to demonstrate a grant-
- 14 ee's progress toward achieving the goals of this Act.

- 15 (2) CONTENTS OF REPORT.—At a minimum,
- 16 the report described in paragraph (1) shall include,
- 17 for eligible entities receiving funds under section 5,
- 18 for each category of students described in section
- 19 1111(h)(1)(C)(i) of the Elementary and Secondary
- 20 Education Act of 1965 (20 U.S.C.
- 21 6311(h)(1)(C)(i)):

- 22 (A) The number of students.

- 23 (B) The percentage of students scoring ad-
- 24 vanced, proficient, basic, and below basic on the
- 25 assessments described in section 1111(b)(3) of

1 the Elementary and Secondary Education Act
2 of 1965 (20 U.S.C. 6311(b)(3)).

3 (C) The performance of students on other
4 assessments or measurements of achievement.

5 (D) The number of secondary school cred-
6 its earned.

7 (E) The number of postsecondary credits
8 earned.

9 (F) Attendance rate.

10 (G) Graduation rate.

11 (H) Placement in postsecondary education
12 or advanced training, in military service, and in
13 employment.

14 (b) REPORTING BY THE SECRETARY.—The Secretary
15 annually shall compile and analyze the information de-
16 scribed in subsection (a) and report it to the Committee
17 on Health, Education, Labor, and Pensions of the Senate
18 and the Committee on Education and Labor of the House
19 of Representatives, which report shall include identifica-
20 tion of best practices for achieving the goals of this Act.

21 (c) MONITORING VISITS.—The Secretary's designee
22 shall visit each grantee at least once for the purpose of
23 helping the grantee achieve the goals of this Act and to
24 monitor the grantee's progress toward achieving such
25 goals.

1 (d) NATIONAL EVALUATION.—Within six months of
2 the appropriation of funds for this Act, the Secretary shall
3 enter into a contract with an independent organization to
4 perform an evaluation of the grants awarded under this
5 Act. Such evaluation shall apply rigorous procedures to
6 obtain valid and reliable data concerning participants’ out-
7 comes by social and academic characteristics and monitor
8 the progress of students from high school to and through
9 postsecondary education.

10 (e) TECHNICAL ASSISTANCE.—The Secretary shall
11 provide technical assistance to eligible entities concerning
12 best practices in early college high schools and dual enroll-
13 ment programs and shall disseminate such best practices
14 among eligible entities and State and local educational
15 agencies.

16 **SEC. 11. RULES OF CONSTRUCTION.**

17 (a) EMPLOYEES.—Nothing in this Act shall be con-
18 strued to alter or otherwise affect the rights, remedies,
19 and procedures afforded to the employees of local edu-
20 cational agencies (including schools) or institutions of
21 higher education under Federal, State, or local laws (in-
22 cluding applicable regulations or court orders) or under
23 the terms of collective bargaining agreements, memoranda
24 of understanding, or other agreements between such em-
25 ployees and their employers.

1 (b) GRADUATION RATE.—A student who graduates
2 from an early college high school supported under this Act
3 in the standard number of years for graduation described
4 in the eligible entity’s application shall be considered to
5 have graduated on time for purposes of section
6 1111(b)(2)(C)(vi) of the Elementary and Secondary Edu-
7 cation Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)).

○